IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA

CASE NO.: 05-2019-CF-042107

STATE OF FLORIDA,

vs

Joshua M. Mills,

FILED IN OPEN COURT
Date: 5-4-21 Time: 1:51p
CIRCUIT AND COUNTY COURT
By: D. Dalos D.C.

ADMISSION OF VIOLATION OF PROBATION/COMMUNITY CONTROL

1. I, the above-named defendant, hereby withdraw my plea(s) of Not Guilty, and admit violating condition(s) 1, 4 of my probation/community control order(s). I understand that I am on probation/community control for the following charge(s): Count 02 Lascivious Exhibition which carries a total maximum penalty of 15 days/~~years~~ in the county jail/state prison.

2. I understand the following concerning my violation of probation/community control hearing rights:

   a. That if the Court accepts my admission(s), I give up my right to a violation of probation/community control hearing, at which I would have the following rights:

      (i) to have a hearing, without a jury, before the Judge;
      (ii) to see and hear the witnesses testify, and to have my lawyer question them for me;
      (iii) to subpoena and present witnesses and items of evidence in my defense, and to present any defense I might have to the Judge;
      (iv) to testify or to remain silent at the hearing concerning any new criminal law violations; and I also understand that I can be called to testify at the hearing concerning allegations of any non-criminal violations; and
      (v) to require the prosecution to prove a willful and substantial violation of the conditions of probation/community control by the greater weight of the evidence.

   b. That I give up my right to appeal all matters except the legality of my sentence or this Court's authority to hear this case. My lawyer has explained to me what an appeal is.

   c. That I understand that if the Court accepts my admission(s) of violating my probation/community control, there will be NO HEARING and the Judge will impose sentence(s) based upon my admission(s); that the Judge can either place me back on probation/community control with the previous conditions or new conditions, or the Judge can revoke my probation/community control and sentence me to the maximum penalty for the charge(s) listed above.

   d. I have read the violation affidavit in my case and I understand the violation(s) to which I am admitting. My lawyer has explained any possible defenses to the violation(s) to me.

   e. I understand that if the underlying offense for which I am on probation or community control is a sexually violent offense or a sexually motivated offense, or if I have previously been convicted of such an offense, I may be subject to the involuntary civil commitment as a sexually violent predator upon completion of any prison sentence imposed.

3. Neither my lawyer nor anyone else has told me or promised me that the Judge would restore me to probation/community control or give me a particular sentence, nor has my lawyer or anyone else told me or promised me anything to get me to enter my admission(s) except as set forth below or said in open Court.

   a. ☐ No promise has been made by my lawyer or anyone else.
   b. ☑ The prosecutor has agreed to Six months RFS; followed by two years of community control followed by three years of probation, same sex offender conditions, electronic monitoring on community control
   c. ☐ The prosecutor has agreed to _____

4. I understand that if I am on probation/community control for a felony and my admission is accepted by the Judge, the Judge will then sentence me.

5. I understand and agree that if the Judge permits me to stay out of jail pending sentencing, I must notify my lawyer and bondsman or pretrial release officer of any change in my address or phone number, and if the Judge orders a Pre-Sentence Investigation (PSI) and I willfully fail to appear for an appointment with the probation officer for the PSI interview, the Judge can place me in jail for the PSI interview, or until my sentencing.

6. My education consists of High School Diploma. I am not under the influence of any drug, medication or alcohol at the time I sign this admission. I am not suffering from any mental problems at this time which affect my understanding of this admission.

7. Neither my lawyer nor anyone else has pressured me or forced me to enter my admission and I am entering my admission voluntarily of my own free will and because

☐ I believe that I am guilty.
☒ I believe it is in my own best interest.

8. I have read every word in this written admission. I have discussed this written admission with my lawyer and I fully understand everything contained in it. I have discussed the maximum penalties for the charge(s) for which I am on probation/community control and the sentencing guidelines with my lawyer and I fully understand them. I have told my lawyer everything I know about this case and these violations. I am fully satisfied with the way my lawyer has handled my violation case for me and I have no complaints.

SWORN TO AND FILED in Open Court in the presence of defense counsel and the Judge this 4 day of May, 2021.

Defendant's signature: _____
Address and Phone: _____

SWORN TO AND ACCEPTED BY:

_____
JUDGE

CERTIFICATE OF DEFENSE COUNSEL

I, Defendant's Counsel of Record, certify that I have discussed this case with the defendant, including his/her rights, the nature of the violation(s), the evidence against him/her of which I am aware, the possible defenses he/she has, the maximum penalty for the charge(s) for which he/she is on probation/community control, the sentencing guidelines, and his/her right to appeal. No promises have been made to the defendant other that as set forth in this form or on the record. I believe he/she fully understands this written admission, the consequence of entering it, and that the defendant does so of his/her own free will.

Counsel for the Defendant: _____

CERTIFICATE OF PROSECUTOR

☒ I consent to the conditions admitted above
☒ I confirm the promises in 3(b) have been made.

Assistant State Attorney: _____ 10619

Copies furnished to: Court File, Defense Counsel, State Attorney, Probation, Defendant